IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: REN ET AL	§
	§ Group Art Unit: 2172
	§
	§ Examiner: TRUONG, CAM Y T
Serial No.: 09/834,701	§
	§ Attorney Docket: REN-01
Filed: April 12, 2001	§
	§ Confirmation No. 5019
For: ADVANCED METHOD AND SYSTEM	§
OF AUTOMATIC POPULATION AND	§
MAINTENANCE OF A WEB-BASED	§
DATABASE	§

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Atty. Docket No.: REN-01
Date: December 5, 2006

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Appellant/Applicant requests review of the final rejection of the above identitied application. No Amendments are being filed and Appellant has concurrently filed its Notice of Appeal in response to the Advisory Opinion mailed 11/21/06 to Appellant's Amendment Under 37 CFR §1.116 filed 11/6/06 and the 9/5/06 Final Office Action. Review is requested for the reasons stated herein.

Claims 1 and 17 were previously amended to clarify that Applicants' invention transfers multiple records of individual customers from an existing database to the web-based database and does not generally seek to process individual customer data records in an existing database domain, thereby preventing unauthorized modification or corruption of the existing database. The movement of maintenance of the customer database information also frees the owner of the

existing database from the responsibility of address modification and update. If the customer does not wish to have their records maintained, they simply ignore the request providing them their specific unique access account code and their information will not be updated. Claim 17 was also amended to clarify that the invention functions with multiple customer data records and further generates unique access accounts for each of the multiple customer data records. In addition, claim 17 was amended to clarify that Applicants' system enables modification of the customer data records.

Claims 24-28 were previously presented to further claim the invention. Independent claim 24 is directed towards a method for customers to update their contact information without registering within the system. Since the customer is accessing his record on the web-based database and not on the internal existing database, no chance for data corruption of the existing database exists. Claim 24 has been further amended to claim the feature of automatic updating based upon additional information provided upon access by the customer. Claim 25 is directed toward specific types of customer information. Claim 26 is directed towards modification of the customer record via a telephone number. Claim 27 is directed towards the modification being a correction. None of these features are present in the prior art cited by the Examiner and the explanation offered for the rejection is non-responsive to the issues raised in the prior office action responses.

Refusal to Enter Applicants's Previously Filed Rule 132 Declaration Was Erroneous

Applicants filed a declaration under Rule 132 which the Examiner initially found the declaration (without discussing the substance of the factual statements contained therein) "insufficient" and reiterated her denial of consideration of the declaration because of: a) timeliness, b) not having sufficient explanation why it wasn't submitted earlier, c) not being

detailed as to include order sales invoices, or d) offering an explanation of where or when the sales were made, when and where the systems were first installed, failed to disclose the number of orders fulfilled and other specific accounting detail. This denial was clearly incorrect. All of the criteria used by the Examiner to refuse consideration of the Rule 132 Declaration are unwarranted.

The rejections in the September 5, 2006, Office Action ("OA") were all obviousness-related based on:

1. U.S. Patent 6182131 to Dean et al. ("*Dean*") in view of U.S. Patent 6175831 to Weinreich ("*Weinreich*") (as to claims 1-4, 6, 7, 9, 11, 12, 17, and 21);
2. *Dean* in view of *Weinreich* and U.S. Patent 6233577 to Ramasubramani et al. ("*Ramasubramani*") (as to claims 24-24, 27-28);
3. *Dean* in view of *Weinreich* and further in view of U.S. Patent 6925477 to Champagne ("*Champagne*") (as to claim 5);
4. *Dean* in view of *Weinreich* and further in view of U.S. Patent 6625258 to Ram et al. ("*Ram*") (as to claims 8, 10, 20, 22 and 23);
5. *Dean* in view of *Weinreich* and *Ramansubramani* and further in view of *Ram* (as to claim 26); and,
6. *Dean* in view of *Weinreich* and further in view of U.S. Patent 6108691 to Lee ("*Lee*") (as to claim 19).

The burden on the Examiner is described as requiring "…rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references." The Examiner did not discharge her burden. None of the claimed prior art provides a reasonable expectation of success in achieving the alleged suggested combination, nor do the claimed prior art references teach or suggest all the claim limitations as described in the amended claims provided above and is largely misinterpreted by the Examiner. Picking and choosing features from a number of prior art references does not teach or suggest that such features can or should be combined. *Dean* is not—in the least—concerned with creating user profiles, but rather in the wholesale transfer of existing user names (and passwords) to a new database domain to allow sign-on by the existing users of the originating database on the new database using the same logon and password. Nothing

in *Dean* suggests the motivation to create a duplicate Internet database and provide notification and a new password for the potential users of that new database to sign and update their existing individual contact information. *Dean's* transferred sign-on information is isomorphic in the second database with the information contained in the first originating database. There is no creation of a unique customer number (account access code) performed in the *Dean* reference.

Adding each of the features cited from each of the other prior art references to *Dean*, such as U.S. Patent 6175831 to Weinreich (as to claims 1-4, 6, 7, 9, 11, 12, 17, and 21); *Weinreich* and U.S. Patent 6233577 to Ramasubramani et al. (as to claims 24-24, 27-28); *Weinreich* and further in view of U.S. Patent 6925477 to Champagne (as to claim 5); *Weinreich* and further in view of U.S. Patent 6625258 to Ram et al. (as to claims 8, 10, 20, 22 and 23); *Weinreich* and *Ramansubramani* and further in view of *Ram* (as to claim 26); and, *Weinreich* and further in view of U.S. Patent 6108691 to Lee (as to claim 19), does not make the combinations obvious, if there is no suggestion or motivation to combine them. The explanation offered by the Examiner is stilted and unpersuasive. The combinations suggested by Applicants in the present application are non-obvious and the claims should be allowed. The hindsight application of individual features does not warrant the continued refusal to grant Applicants coverage for their invention.

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Respectfully submitted,

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